



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
Rachel Carson State Office Building

P.O. Box 2063
Harrisburg, PA 17105-2063

MAY 31 1995

The Secretary

717-787-2814

RECEIVED

Mr. Peter H. Kostmayer
Regional Administrator
U.S. Environmental Protection Agency
841 Chestnut Building
Philadelphia, PA 19107

JUN 2 1995

**EPA, REGION III
OFFICE OF REGIONAL ADMINISTRATOR**

Dear Peter:

The purpose of this letter is to express Pennsylvania's intention to follow the approach described by Assistant Administrator Nichols for meeting the post-1996 rate of progress and attainment requirements in the Philadelphia severe ozone nonattainment area. Pennsylvania, like most other states, has experienced delays in modeling studies and control strategy implementation. On March 2, 1995, the Environmental Protection Agency (EPA) issued guidance that describes the supplementary submissions which would lead to approval of the attainment demonstration. I believe this guidance provides the flexibility states need to ensure we have the best science with which to make decisions while moving forward as quickly as possible with emission reductions we already know we will need. As you know, Pennsylvania is contributing \$600,000 and additional in kind services to the NARSTO project. I believe this effort will advance our knowledge of ozone formation and its control to allow development of effective control programs.

To implement the two-phased approach, Pennsylvania anticipates:

- * Implementing control measures that will ensure reductions by 1999 equivalent to 9 percent in volatile organic compounds from 1990 levels in the five-county Philadelphia nonattainment area;
- * Continuing to work on a regional basis to identify the emission reductions needed to attain the ozone standard in the Philadelphia area and throughout the Northeast, and to participate in consultative processes, through the Ozone Transport Commission, ECOS and other appropriate forums to address regional transport; and

- * Adopting additional control measures if they are necessary to (1) attain the ozone standard (2) meet the additional rate-of-progress milestones in the Philadelphia nonattainment area and (3) eliminate significant contributions to nonattainment downwind.

While Pennsylvania anticipates making contributions to reducing ozone to downwind states, there is an absolute necessity for EPA to press ahead expeditiously with national regulations on sources such as paint and coatings, consumer products and off-road engines. States are relying on these federal measures for significant emission reductions. Area sources and nonroad engines comprised about 45 percent of the 1990 inventory in Southeast Pennsylvania, and will become more significant in the future, as additional reductions are achieved in industrial and motor vehicle emissions.

We also call upon EPA to widen its consideration of "regional" ozone precursor control beyond the borders of the Ozone Transport Commission. Obviously, of particular concern to Pennsylvania are the large nitrogen oxides sources in states just west of our border.

The Commonwealth has made extensive progress toward meeting its obligations under the Clean Air Act, which we described in more detail in our November 1994 SIP submittal. Activities include the following:

- * Completion of the 1990 base year inventory in AIRS. The Department will make any necessary corrections to this inventory.
- * Submission of Reasonably Available Control Technology (RACT) "catch-ups" and "fix-ups." The Commonwealth has submitted regulations correcting the VOC definition and adding CTG rules. Regulations have been submitted that require RACT for barge and tanker loading, require monitoring of NOx by Continuous Emission Monitoring and expand the new source review program.
- * Submittal of the Commonwealth's VOC and NOx RACT regulations in May 1994. We anticipate approval within the next year.
- * Commitment to improving the enforcement of existing rules (rule effectiveness) in the Philadelphia nonattainment area from the 80 percent effectiveness assumed by EPA to 90 percent. This would be accomplished by plant operator and Department inspector training requirements and opportunities, improved enhanced monitoring procedures and intensive program evaluation.

- * Becoming a signatory to the Ozone Transport Commission Memorandum of Understanding to control nitrogen oxide emissions from large fossil fueled boilers. Pennsylvania is continuing to participate in on-going interstate discussions establishing a baseline for reductions.

- * Implementing Stage II vapor recovery nozzles at gasoline pumps in the Philadelphia nonattainment area. The regulation was adopted in February 1992.

- * Adopting an enhanced vehicle inspection/maintenance (I/M) program regulation in June 1993 for 25 counties. On November 15, 1994, the Pennsylvania General Assembly through Act 95 suspended implementation of a centralized I/M program in all affected counties until March 31, 1995, and directed the development of a decentralized or hybrid program. Subsequently, EPA indicated its intention to revise its own regulation to provide states with the flexibility in meeting the I/M mandate. As Governor Ridge announced in late February, it would be unwise for the Commonwealth to select a testing program that meets clean air goals as well as the legitimate concerns of Pennsylvania motorists without the benefit of this information. The Commonwealth is therefore awaiting finalization of the regulation in order to address the April 1995 EPA disapproval of its I/M plan. Meanwhile, the basic I/M program already in place is continuing to operate in the Philadelphia nonattainment area.

- * Proposing Clean Fuel Fleet program regulations for the Philadelphia nonattainment area on September 24, 1994, with a public hearing conducted on October 24, 1994.

In addition, significant emission reductions are expected from the federal reformulated gasoline program as well as improvements in new cars under the federal motor vehicle control program. Emission reductions beyond 1996 are expected for federal programs for architectural and maintenance coatings; autobody refinishing coatings, non-road engines (including lawnmowers, recreational vehicles, portable equipment, farm equipment, construction vehicles and engines), consumer products; and federal regulations for waste treatment, storage and disposal facilities.

Finally, in the final rule published January 24, 1995, Pennsylvania and the other OTC jurisdictions received notice from EPA that they must submit a SIP revision to implement a Low Emission Vehicle program, or, should a 49-state car alternative be agreed upon, the option to use that program to satisfy these LEV requirements.

We would also like to note that the Commonwealth was one of the first states to complete rulemaking on its Title V regulation, which consolidates Pennsylvania's permitting process and provides for increased public involvement.

Substantial progress has been made on the modeling attainment demonstration for the Philadelphia metropolitan area. To date, decisions and/or data collection have been completed on the domain size, air quality and meteorological stations, ozone episode selection criteria and final selection, meteorological data selection and formatting, emissions inventory baseline for selected episodes, and episode modeling for base cases.

Pennsylvania anticipates making additional progress on the so-called Phase I measures by taking the following actions:

- * Submit any necessary corrections to the 1990 base year inventory to EPA by late 1995.
- * Refine 1999 milestone emission reduction targets for the Philadelphia nonattainment area and complete projections for the 2002 milestone, as discussed in a December 1994 comment letter from EPA.
- * Continue to work with EPA Region III and the Philadelphia Air Management Services staff to implement the rule effectiveness requirement included in the rate of progress SIPs for the Philadelphia nonattainment area.
- * Continue to pursue options to structure a vehicle emission inspection/maintenance program that meets Pennsylvania's environmental and consumer needs.
- * Work with the OTC and NESCAUM and MARAMA in the development of region-wide model regulations for the OTC NO_x MOU. We anticipate proposing a regulation in late 1995 with final adoption in 1997. Compliance with the Phase II control requirements would be scheduled for 1999.
- * Continue to participate in on-going negotiations to bring about the 49-state car alternative to the OTC Low Emission Vehicle Program.
- * Review the proposed Clean Fuel Fleet program for the Philadelphia nonattainment area considering the substitution of a LEV/49-state car program.

Mr. Peter H. Kostmayer

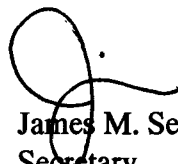
-5-

* To the extent additional reductions are necessary to achieve and maintain ozone standards, consider market-based alternatives which can achieve emission reductions more cost-effectively than traditional command and control strategies.

* Continue current modeling efforts to complete the 2005 uncontrolled emission inventory and develop a 2005 controlled inventory for attainment modeling in the Philadelphia domain.

We look forward to working with EPA in the coming years to assure attainment of clean air standards.

Sincerely,

A handwritten signature in black ink, appearing to read "James M. Seif". The signature is stylized with a large, looping initial "J" and a trailing flourish.

James M. Seif
Secretary

Department of Environmental Resources